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# REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

## Report of the Sixth Committee

Rapporteur: Mr. Ghassan OBEID (Syrian Arab Republic)

## I. INTRODUCTION

1. The item entitled "Report of the Committee on Relations with the Host Country" was included in the provisional agenda of the fifty-second session of the General Assembly pursuant to Assembly resolution 51/163 of 16 December 1996.

2. At its 4th plenary meeting, on 19 September 1997, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 32nd and 34th meetings, on 19 and 21 November 1997. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/52/SR.32 and 34).

4. For its consideration of the item, the Committee had before it the report of the Committee on Relations with the Host Country.[1]

5. At the 32nd meeting, on 19 November, the report of the Committee on Relations with the Host Country was introduced by its Chairman.

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[1] Official Records of the General Assembly, Fifty-second Session, Supplement No. 26 (A/52/26).

## II. CONSIDERATION OF DRAFT RESOLUTION A/C.6/52/L.10 AND REV.1

6. At the 32nd meeting, on 19 November, the representative of Cyprus, on behalf of Bulgaria, Canada, Costa Rica, Côte d'Ivoire and Cyprus, introduced a draft resolution entitled "Report of the Committee on Relations with the Host Country" (A/C.6/52/L.10), which read:

"The General Assembly,

"Having considered the report of the Committee on Relations with the Host Country,[1]

"Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,[2] and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,[3] and the responsibilities of the host country,

"Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

"Noting the spirit of cooperation and mutual understanding that has guided the deliberations of the Committee on issues affecting the United Nations community and the host country,

"Taking into account the increase in the profound interest and concern by many Member States in the work of the Committee,

"Considering that meetings of the Committee on Relations with the Host Country and of the Working Group on the use of diplomatic motor vehicles were devoted to the consideration of the item 'Transportation: use of motor vehicles, parking and related matters',

"1. Endorses the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 118 of its report;[1]

"2. Considers that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interests of the United Nations and all Member States, and requests the host country to continue to take all measures necessary to prevent any interference with the functioning of missions;

"3. Expresses its appreciation for the efforts made by the host country, and hopes that the concerns raised at the meetings of the

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[2] Resolution 22 A (I).

[3] See resolution 169 (II).

Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

"4. Welcomes the efforts of the Committee aimed at identifying affordable health care programmes for the diplomatic community;

"5. Notes that during the reporting period the travel controls previously imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities remained in effect, once again urges the host country to consider lifting such travel controls, and, in this regard, also notes the positions of the affected States, of the Secretary-General and of the host country;

"6. Calls upon the host country to review measures and procedures relating to the parking of diplomatic vehicles, with a view to responding to the growing needs of the diplomatic community, and to consult with the Committee on these issues, and considers it important that any new parking regulations to be proposed by the host country to the diplomatic community be worked out in consultation with the Committee on Relations with the Host Country and that such regulations should be fair, balanced, non-discriminatory, in accordance with local and international law and with due regard for diplomatic privileges and immunity;

"7. Requests the Committee to review its membership and to report on the results of the deliberations in the Sixth Committee to the General Assembly at its fifty-third session;

"8. Requests the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

"9. Requests the Committee to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

"10. Decides to include in the provisional agenda of its fifty-third session the item entitled 'Report of the Committee on Relations with the Host Country'."

7. At the same meeting, the Committee had before it amendments (A/C.6/52/L.23) to draft resolution A/C.6/52/L.10, submitted by Cuba, by which:

(a) Operative paragraph 7 would read:

"7. Requests Member States to consider reviewing the composition of the Committee on Relations with the Host Country so that the membership of the Committee properly reflects the significant increase in the membership of the United Nations";

(b) Two new operative paragraphs would be added, reading:

"Requests Member States to transmit their views with respect to this matter to the Secretary-General;

"Requests the Secretary-General to present a report on this subject to the General Assembly at its fifty-third session".

8. At the 34th meeting, on 21 November, the representative of Cyprus, on behalf of Bulgaria, Canada, Costa Rica, Côte d'Ivoire and Cyprus, later joined by Spain, introduced a revised draft resolution (A/C.6/52/L.10/Rev.1), submitted on the basis of informal consultations on draft resolution A/C.6/52/L.10 and the amendments to it contained in document A/C.6/52/L.23.

9. The amendments contained in document A/C.6/52/L.23 were not pressed to a decision.

10. At the same meeting, the representative of Cuba orally proposed an amendment to draft resolution A/C.6/52/L.10/Rev.1, by which operative paragraph 7, which had read:

"7. Requests the Committee to review its membership and to report on the results of its deliberations to the Sixth Committee of the General Assembly at its fifty-third session,"

would be replaced by:

"7. Requests the Committee to review its membership and composition, with the participation of observers, to consider proposals regarding its membership and composition, and to report on the results of its deliberations to the Sixth Committee of the General Assembly at its fifty-third session".

11. Also at the same meeting, the amendment proposed orally by Cuba to paragraph 7 of draft resolution A/C.6/52/L.10/Rev.1 was adopted by a recorded vote of 42 to 20, with 48 abstentions. The voting was as follows:

In favour: Algeria, Bahamas, Bahrain, Botswana, Brazil, Brunei Darussalam, Cuba,[4] Djibouti, Dominican Republic, Ecuador, Egypt, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Maldives, Mexico, Namibia, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Sudan, Suriname, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Austria, Bulgaria, Canada, Costa Rica, Côte d'Ivoire, Cyprus, Czech Republic, Fiji, Georgia, Germany, Honduras, Israel, Latvia, Lithuania, Russian Federation, Spain, Ukraine, United

[4] Before the voting machine was locked, the Chairman, in response to a point of order by the delegation of Cuba, announced that Cuba had voted in favour and would be so counted, in spite of a mechanical failure of the voting buttons at the Cuban seat.

Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe.[5]

Abstaining: Argentina, Australia, Bangladesh, Belarus, Belgium, Benin, Bolivia, Cameroon, Chile, Colombia, Democratic Republic of the Congo, Denmark, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guinea, Guinea-Bissau, Hungary, Iceland, Ireland, Italy, Japan, Kyrgyzstan, Liechtenstein, Malta, Morocco, Nepal, Netherlands, Nicaragua, Norway, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Sri Lanka, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Togo.

12. Before the adoption of the amendment, the representatives of the Russian Federation, Costa Rica and Germany made statements in explanation of position (see A/C.6/52/SR.34).

13. Also at its 34th meeting, the Committee adopted draft resolution A/C.6/52/L.10/Rev.1, as orally amended, by 120 votes to none, with 3 abstentions (see para. 15).

14. Following the vote, the representative of the Netherlands made a statement in explanation of position (see A/C.6/52/SR.34).

## III. RECOMMENDATION OF THE SIXTH COMMITTEE

15. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

### Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,[6]

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,[7] and the Agreement between the United Nations and the United States of America regarding the

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[5] The delegation of Zimbabwe subsequently indicated that it had intended to vote in favour.

[6] Official Records of the General Assembly, Fifty-second Session, Supplement No. 26 (A/52/26).

[7] Resolution 22 A (I).

Headquarters of the United Nations,[8] and the responsibilities of the host country,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

Noting the spirit of cooperation and mutual understanding that has guided the deliberations of the Committee on issues affecting the United Nations community and the host country,

Taking into account the increase in the profound interest and concern of many Member States as regards the work of the Committee,

Considering that meetings of the Committee and of the working group on the use of diplomatic motor vehicles were devoted to the consideration of the item "Transportation: use of motor vehicles, parking and related matters",

1. Endorses the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 118 of its report;[6]

2. Considers that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interests of the United Nations and all Member States, and requests the host country to continue to take all measures necessary to prevent any interference with the functioning of missions, and to promote compliance of local authorities with international norms concerning diplomatic privileges and immunities;

3. Expresses its appreciation for the efforts made by the host country, and hopes that the concerns raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

4. Welcomes the efforts of the Committee aimed at identifying affordable health care programmes for the diplomatic community;

5. Notes that during the reporting period the travel controls previously imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities remained in effect, again urges the host country to consider lifting such travel controls, and, in this regard, notes the positions of the affected States, of the Secretary-General and of the host country;

6. Calls upon the host country to review measures and procedures relating to the parking of diplomatic vehicles, with a view to responding to the growing needs of the diplomatic community, and to consult with the Committee on these issues, and requests the host country to take steps in conjunction with the competent authorities to resolve the problem of parking of diplomatic vehicles,

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[8] See resolution 169 (II).

in order to maintain appropriate conditions for the functioning of the delegations and missions accredited to the United Nations in a manner that is fair, non-discriminatory, efficient and consistent with international law, with due regard to diplomatic privileges and immunities and to the proposals made in the Committee and its working group on the use of diplomatic motor vehicles;

7. Requests the Committee to review its membership and composition, with the participation of observers, to consider proposals regarding its membership and composition, and to report on the results of its deliberations to the Sixth Committee of the General Assembly at its fifty-third session;

8. Requests the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

9. Requests the Committee to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

10. Decides to include in the provisional agenda of its fifty-third session the item entitled "Report of the Committee on Relations with the Host Country".

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